



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JULY 11, 2005

JL. H
ITEM NUMBER:

SUBJECT: MODIFICATION TO DEVELOPMENT REVIEW DR-99-22A (DR-05-09)
TARGET GREATLANDS
3030 HARBOR BOULEVARD

DATE: JUNE 30, 2005

FOR FURTHER INFORMATION CONTACT: MEL LEE, AICP, SENIOR PLANNER
(714) 754-5611

PROJECT DESCRIPTION

The applicant is proposing to modify the conditions of approval/mitigation measures for the Target Greatlands store to allow extended hours of operation during the holiday season earlier in the day; to allow parking lot sweeping to begin at 7:00 a.m. earlier in the day; and to allow the employees of the district office to park closer to the office.

APPLICANT

The applicant is Chris Long of Pacific Land Services, representing the property owner, Target Corporation.

RECOMMENDATION

Approve the modification for the extended holiday hours and deny the modifications to the parking lot sweeping and district office employee parking by adoption of Planning Commission resolution.



MEL LEE, AICP
Senior Planner



R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

BACKGROUND

On March 13, 2000, the Planning Commission, by a vote of 5 to 0, approved Development Review DR-99-22 to construct a 143,500 square foot Target Greatlands store, a 3,420 square foot district office, and a 10,830 square foot garden center. On November 13, 2000, Planning Commission approved a modification to the Development Review as DR-99-22A to allow extended holiday sale hours from 7:00 a.m. to 11:00 p.m., seven days a week, on an annual basis, beginning from the day after Thanksgiving through New Year's Day. The extended holiday sale hours apply to the store operating hours for customer service only and do not apply to the Garden Center nor the delivery hours for the Target store.

ANALYSIS

The applicant is requesting the following modifications to DR-99-22 and DR-99-22A;

1. Modify the extended hours of operation approved under DR-99-22A for the holiday season to allow the store to open at 6:00 a.m. seven days a week (7:00 a.m. is currently allowed; the 11:00 p.m. closing time would remain unchanged);
2. Modify condition of approval number 30 under DR-99-22 to allow parking lot sweeping to begin at 7:00 a.m. on non-holiday weekdays (8:00 a.m. is currently allowed). This condition of approval was also a mitigation measure for the mitigated negative declaration adopted for the project;
3. Modify condition of approval number 42 to allow the employees of the district office, located on the north side of the building, behind the Garden Center, to park closer to the office. This condition of approval was also a mitigation measure for the mitigated negative declaration adopted for the project.

Typically, modifications to development reviews are considered by staff and do not require a public hearing; however, due to the nature of the project and its proximity to several single family residences, the Planning Commission directed that future modifications or revisions to the project be reviewed by the Planning Commission and a public hearing be held. Also, CEQA requires mitigation measure changes to be considered at a public hearing. No changes to Target's delivery hours or to the other conditions of approval, code requirements, special district requirements, and project mitigation measures are proposed.

With regard to the extended holiday hours, staff recommends approval to allow Target to open an hour earlier during the holiday season (6:00 a.m. instead of 7:00 a.m.) because, as discussed in the applicant's letter (a copy of which is attached to this report), the practice is common to the other Target stores within the area. Also, the main entrances to the store are setback approximately 200 feet from the residential homes to the north of the site, and the Garden Center (which is setback approximately 73 feet from the residential homes to the north of the site) would still be required to retain its 8:00 a.m. opening time per the original conditions of approval.

With regard to the request to allow the district employees to park closer to the building and with allowing the parking lot sweeping an hour earlier (7:00 a.m. instead of 8:00

a.m.), it should be noted that when the project was originally reviewed by staff and the Commission, concerns were raised that the nature of these activities could be disruptive to the adjacent residential properties because, unlike the building, the parking area abuts the residential properties. As such, the initial study/negative declaration imposed these conditions/mitigation measures to reduce potentially adverse noise impacts on the adjacent residences. Therefore, staff recommends that these conditions of approval not be modified.

ENVIRONMENTAL DETERMINATION

The modification to the holiday hours is exempt from the provisions of the California Environmental Quality Act (CEQA); however, the modifications to the conditions of approval for the employee parking location and the parking lot sweeping hours were also mitigation measures for the mitigated negative declaration adopted for the project. If the Planning Commission were to modify or delete these mitigation measures, CEQA requires a separate written finding be made that no new adverse environmental effects will be created, and new mitigation measures be put in place that are equivalent or more equally effective in mitigating the impacts. The CEQA guidelines indicate that "equivalent or more effective" means that the new mitigation measure will avoid or reduce the significant effect to at least the same degree as, or to a greater degree, than the original measure and will create no more adverse effect of its own than would have the original measure.

OTHER ISSUES

In the past, the City's Code Enforcement Division has received resident complaints regarding violations of the conditions of approval for early morning deliveries, store opening hours during the holiday season, and parking lot sweeping, however, there are currently no violations or Code Enforcement actions against the property.

ALTERNATIVES

The Commission has the following alternatives:

1. Approve the modification for the extended holiday hours and deny the modifications to the parking lot sweeping and district office employee parking as recommended by staff;
2. Approve all of the modifications as proposed by the applicant, subject to making the appropriate CEQA findings described above; or
3. Deny all of the modifications. If the requested modifications to the conditions of approval are denied, the Target Greatlands store would not be able to operate as proposed; however, it would continue to operate under the previously approved conditions of approval.

CONCLUSION

The proposed modifications to the holiday sale hours would not be disruptive to surrounding properties; therefore, staff supports this part of the request. Staff does not support the request as it pertains to the modifications to the employee parking location

and the parking lot sweeping hours because of the proximity of the parking area to the residential properties, where these activities would be conducted.

Attachments : Draft Planning Commission Resolution
 Exhibit "A" - Draft Findings
 Exhibit "B" - Draft Conditions of Approval
 Applicant's Description and Justification
 Original Conditions of Approval for DR-22-99 and DR-99-22A
 Approved Plans

cc: Deputy City Manager - Dev. Svs. Director
 Senior Deputy City Attorney
 City Engineer
 Fire Protection Analyst
 Staff (4)
 File (2)

Matt Wise
Target Corporation
1000 Nicollet Mall, TPN-12H
Minneapolis, MN 55403

Chris Long
Pacific Land Services
2151 Salvio Street, Ste 250
Concord, CA 94520

Al Morelli
3412 Geranium Street
Costa Mesa, CA 92626

File: 071105DR0509

Date: 062705

Time: 8:30 a.m.



EXHIBIT "A"

FINDINGS

- A. The proposed modification to allow extended hours of operation during the holiday season complies with Costa Mesa Municipal Code Section 13-29(e) because it is compatible and harmonious with uses on surrounding properties. Specifically, the main entrances to the store are setback approximately 200 feet from the residential homes to the north, and the Garden Center (which is setback approximately 75 feet from the residential homes to the north) would still be required to retain its 8:00 a.m. opening time per the original condition of approval. Additionally, the extended holiday hours is a practice common to other Target stores and apply to the store operating hours for customer service only. No changes to the Target store delivery hours, or to the other conditions of approval, code requirements, special district requirements, and project mitigation measures are proposed.
- B. The proposed modification to allow employee parking closer to the building and parking lot sweeping an hour earlier does not comply with Costa Mesa Municipal Code Section 13-29(e) because it is not compatible and harmonious with uses on surrounding properties. Specifically, the nature of these activities could be disruptive to the adjacent residential properties because, unlike the building, the parking area abuts the residential properties.
- C. An initial study was prepared for the original project pursuant to the California Environmental Quality Act. Although the project could have a significant effect on the environment, according to the Initial Study and Negative Declaration, which reflect the independent judgment of the City of Costa Mesa, there will not be a significant effect on the environment because mitigation measures and a mitigation monitoring program consisting of applicable conditions of approval were approved with the project, and will not be modified.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL

- Ping.
1. The extended hours shall be limited from 6:00 a.m. to 11:00 p.m., seven days a week, on an annual basis, beginning from the day after Thanksgiving through New Year's Day. The Garden Center shall maintain its current operating hours of 8:00 a.m. to 10:00 p.m., seven days a week. The remaining conditions of approval, code requirements, special district requirements, and mitigation measures for DR-99-22 shall remain in full force and effect.

DR-05-09

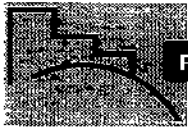
CITY OF COSTA MESA PLANNING APPLICATION
PROJECT DESCRIPTION AND JUSTIFICATION

1. Project Address: *3030 Harbor Blvd. (Target Store)*
2. Fully describe your request: *See attached letter.*
3. Justification:
 - A. For a Conditional Use Permit or Minor Conditional Use Permit: On a separate sheet, describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.
 - B. For a variance or Administrative Adjustment: On a separate sheet, describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.
4. This project is: (check where appropriate)

<input type="checkbox"/> In a flood zone.	<input type="checkbox"/> In the Redevelopment Area.
<input type="checkbox"/> Subject to future street widening.	<input type="checkbox"/> In a Specific Plan Area.
<input type="checkbox"/> Includes a drive-through facility. (Special notice requirements, pursuant to GC Section 65091 (d))	
5. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST reproduced on the rear of this page and have determined the project:
☒ Is not included in the publication indicated above.
☐ Is included in the publication indicated above.


Signature*5/25/05*
Date

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May 24, 2005

Mr. Mel Lee, AICP, Senior Planner
City of Costa Mesa
Development Services
Planning Division
77 Fair Drive
Costa Mesa, CA 92626

Re: Target Store
3030 Harbor Blvd
Costa Mesa, CA 92626
DR-99-22-A
PLS Project No. 5117

Dear Mr. Lee;

I represent Target Corporation in this request for a modification or adjustment to their current Development Permit.

Target is requesting three specific modifications they believe are necessary to respond to current circumstances which have evolved since the Development Permit was last adjusted in November, 2000.

Project Description:

First, Target would like to have the ability to open the store during the Christmas Holiday season at 6 am in order to reduce the evening peak demand. This would allow customers to feasibly visit the store prior to traveling to work. Today the store opens at 7 am during the Christmas Holidays, and many customers must choose to shop on the way home during the busier evening hours. During the holidays, all other Target stores in the area open at 6 am, and a nationwide advertising program which Target runs during the holidays inform customers of the seasonal store hours.

Second, Target operates a District Office behind the Garden Center which has a Condition of Approval requiring its employees to park approximately 500 feet from the District Office and walk to the office entrance. Target would like to convert 4 existing standard stalls just outside the District Office into one ADA Accessible stall and three standard stalls for use by District Office employees during daytime only.

Mr. Mel Lee
May 24, 2005
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Lastly, Target would like to allow the parking lot sweeper to begin work at 7 am just prior to the 8 am typical store opening hours in order to clean the parking stall areas before they fill up with customer cars. Under today's circumstances, the prevailing winds pick up trash that is left behind under cars parked during sweeping hours, and the wind deposits the trash along the northerly edge of the parking lot. This requires the sweeper to spend more time along the northerly edge, and results in unsightly conditions along that edge as the day progresses.

Justification

The property is currently deprived of privileges enjoyed by other retailers in the City with the same zoning classification (Home Depot is one). It is likely that no other office use within the City is required to have employees park 500 feet from the employee entrance as the District Office employees are required to do at this site. Other retailers are able to open at 6 am year-round, and in light of the fact that other Target stores in the region will be opening at 6 am during the holidays as part of the national advertising program, the probability is that Costa Mesa residents will arrive prior to 7 am during the holiday season and then wait for the store to open.

A change in the sweeping hours will actually speed up the sweeping time, lessen the time the sweeper works along the northerly edge, and will result in a much cleaner project.

If you need additional information or have any questions, please be sure to call.

Best regards,



Chris Long
Pacific Land Services

cc: Matt Wise, Target Corporation



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

**FOR ATTACHMENTS NOT INCLUDED IN THIS REPORT,
PLEASE CONTACT THE PLANNING DIV. AT (714)754-5245.**